

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CESAR SARAVIA,

Plaintiff,

-against-

VALSEN MARINE LLC and  
MILLER'S LAUNCH, INC.,

Defendants.  
-----X

**ANSWER TO  
CROSS-CLAIMS**

11 CV 04354 (ENV)(JO)

Defendant, **VALSEN MARINE LLC**, by its attorneys, Goldberg Segalla LLP, answering the Cross-Claims of the Defendant, **MILLER'S LAUNCH, INC.**, ("MILLER'S") upon information and belief, allege:

**CROSS-CLAIMS**

**FACTS COMMON TO ALL CROSS-CLAIMS**

24. Denies having any knowledge or information thereof sufficient to form a belief as to the truth of each and every allegation contained in paragraph "24" of MILLER'S Answer to Amended Complaint and Cross-Claims.

**FIRST CROSS-CLAIM**

25. Defendant, **VALSEN MARINE, LLC**, repeats, reiterates and realleges each and every allegation set forth in paragraph "24" of its Verified Answer to Cross-Claims with the same force and effect as if it were set forth fully and at length herein.

26. Denies each and every allegation contained in paragraph "26" of MILLER'S Answer to Amended Complaint and Cross-Claims.

27. Denies each and every allegation contained in paragraph "27" of MILLER'S Answer to Amended Complaint and Cross-Claims.

**SECOND CROSS-CLAIM**

28. Defendant, VALSEN MARINE, LLC, repeats, reiterates and realleges each and every allegation set forth in paragraphs "24" through "27" of its Verified Answer to Cross-Claims with the same force and effect as if it were set forth fully and at length herein.

29. Denies each and every allegation contained in paragraph "29" of MILLER'S Answer to Amended Complaint and Cross-Claims.

30. Denies each and every allegation contained in paragraph "30" of MILLER'S Answer to Amended Complaint and Cross-Claims.

31. Denies each and every allegation contained in paragraph "31" of MILLER'S Answer to Amended Complaint and Cross-Claims.

**THIRD CROSS-CLAIM**

32. Defendant, VALSEN MARINE, LLC, repeats, reiterates and realleges each and every allegation set forth in paragraph "24" through "31" of its Verified Answer to Cross-Claim with the same force and effect as if it were set forth fully and at length herein.

33. Denies each and every allegation contained in paragraph "33" of MILLER'S Answer to Amended Complaint and Cross-Claims.

34. Denies each and every allegation contained in paragraph "34" of MILLER'S Answer to Amended Complaint and Cross-Claims.

**FOURTH CROSS-CLAIM**

35. Defendant, VALSEN MARINE, LLC, repeats, reiterates and realleges each and every allegation set forth in paragraphs "24" through "34" of its Verified Answer to Cross-Claims with the same force and effect as if it were set forth fully and at length herein.

36. Denies each and every allegation contained in paragraph "36" of MILLER'S Answer and Amended Complaint and Cross-Claims.

WHEREFORE, Defendant Valsen Marine LLC demands that this Honorable Court: 1) dismiss Miller's Launch, Inc.'s Cross-Claims against Valsen Marine LLC; and 2) award Valsen Marine LLC its costs, disbursements, and attorney's fees incurred in this action, together with such other and further relief that this Court deems just and proper.

Dated: Garden City, New York  
January 16, 2012

Yours, etc.,

**GOLDBERG SEGALLA LLP**



Kenneth R. Lange  
*Attorneys for Defendant*  
**VALSEN MARINE LLC**  
100 Garden City Plaza, Suite 225  
Garden City, New York 11530  
(516) 281-9800  
File No.: 12719.0048

TO: TABAK, MELLUSI & SHISHA, LLP  
By: Jacob Shisha, Esq.  
Attorneys for Plaintiff  
29 Broadway, Suite 2311  
New York, NY 10006

RUBIN FIORELLA & FRIEDMAN, LLP  
By: Keith A. Brady, Esq.  
292 Madison Avenue, 11<sup>th</sup> Floor  
New York, NY 10017

**Saravia v. Valsen Marine, LLC, et al.**  
**11 CV 04354 (ENV)(JO)**  
**GS File No.: 12719.0048**

**AFFIDAVIT OF SERVICE**

**THERESA CAPRISE**, being duly sworn deposes and says, that deponent is not a party to this action, is over 18 years of age and resides in New Hyde Park, New York. That on the 16<sup>th</sup> day of January, 2012, deponent served a copy of the within **ANSWER TO CROSS-CLAIMS** upon:

TO: TABAK, MELLUSI & SHISHA, LLP  
By: Jacob Shisha, Esq.  
Attorneys for Plaintiff  
29 Broadway, Suite 2311  
New York, NY 10006

RUBIN FIORELLA & FRIEDMAN, LLP  
By: Keith A. Brady, Esq.  
292 Madison Avenue, 11<sup>th</sup> Floor  
New York, NY 10017

by depositing the enclosed in a stamped envelope in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

  
**THERESA CAPRISE**

Sworn to before me this  
16<sup>th</sup> day of January, 2012.

  
NOTARY PUBLIC

106149  
GS#12719.0048

KENNETH R. LANGE  
Notary Public, State of New York  
No. 02LA6079899  
Qualified in Nassau County  
Commission Expires September 3, 2014